MR. PUTHUPALLY S. KRISHNA PILLAI: The Committee to report within two months.

The motion was put to vote and carried.

THE TRAVANCORE MAINTENANCE ORDERS ENFORCEMENT BILL.

MR. PUTHUPALLY S. KRISHNA PILLAI: I beg to introduce the Travancore Maintenance Orders Enforcement Bill. Sir, I may be permitted to state the principle underlying the Bill. In doing so I have only to refer the Honourable members to the Statement of Objects and Reasons attached to the Bill.

The Bill has only 12 clauses of which three or four alone contain the important provisions.

At present maintenance orders passed by Criminal Courts in one State or Province are not enforced in the neighbouring States or Provinces. Honourable members must be aware of the fact that, orders of maintenance are passed under Section 366 of Crl. P. C. Such orders are executable only within the State. In some cases it happens that the person against whom such an order is passed, although he might happen to be within the State while the order is passed, changes his residence or place of occupation to some place outside Travancore, in British India or elsewhere. In such cases, the order is to be executed in British India. In the absence of inter Governmental arrangement and a definite statutory provision for that, it is not possible; parties are forced to obtain Civil Court decrees, to transfer them to British Indian Courts. Even then, objection is raised there that these decrees are foreign decrees, and the party has to prove in British India that the judgment and the decree are valid and have to be enforced, or a fresh suit has to be filed there and a fresh decree obtained. This is our position with regard to British India and Cochin.

It has been agreed at the Hague Convention that all parties to the agreement should take up the question of enacting suitable legislative measures for the purpose of enforcing maintenance orders passed in one country against persons not resident there for the time being. The Government of India are a party to that agreement and have already passed a legislation to that effect. Various other countries have also enacted similar measures. It is now a few years since British India passed a legislation on the matter. They have provided that the benefits of that measure will be available only to those who themselves undertake similar legislation in their own land. The present Bill is our attempt to enact a corresponding law here. I beg to move that the Bill be read in the Assembly.

KHAN BAHADUR G. S. ABDUL KARIM SAHIB: I second it.

The motion was put to vote and carried.

SECRETARY: The title of the Bill shall be "The Travancore Maintenance Orders Enforcement Bill."

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MR. PUTHUPALLY S. KRISHNA PILLAI: I beg to move that the Bill be referred to a Select Committee consisting of the following gentlemen :—

Messrs.
S. Chattanatha Karayalar,
K. R. Narayanan,
Janardhanan Nair,
S. Govinda Pillai,
Padiyara Joseph Kunju.
Kottalil P. Abraham,
N. Narayana Kurup,
P. S. Mahomed
Kunju Panickar,
N. R. Krishnan,
Vivekanandam; and myself

The Select Committee to report in three months.

KHAN BAHADUR G. S. ABDUL KARIM SAHIB: I second it.

The motion was put to vote and carried.

The House adjourned at 3·28 P. M.

Trivandrum,
24th June 1939.

A. GUNAMONY,
Secretary to the Sri Mulam Assembly.

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